

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: DIETHER RUEPPEL ET AL.

INTERNATIONAL APPL. NO.:  
PCT/EP99/04642

PART UNIT: TO BE ASSIGNED

INTERNATIONAL FILING DATE: 7/3/99  
SERIAL NO. 09/744,621

EXAMINER: TO BE ASSIGNED

FILED: TO BE ASSIGNED

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DATE: February 15, 2001

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

*Carrie A. McPherson*  
(TYPED OR PRINTED NAME OF  
PERSON MAILING PAPER OR FEE)

*Carrie A. McPherson*  
(SIGNATURE OF PERSON MAILING  
PAPER OR FEE)

TRANSMITTAL OF MISSING PARTS

Sir:

Please find the enclosed papers:

- 1) Original Declaration/Power of Attorney form executed by inventors.
- 2) Original executed Assignment along with one Recordation Form Cover Sheet (PTO-1595) and a check in the amount of \$40.00 to cover the recording fee.
- 3) The undersigned's check for \$130.00 to cover the surcharge for missing parts.
- 4) A copy of the Notice to File Missing Parts (PTO Form PTO-1533) has not yet been received.

The Commissioner is authorized to debit any deficiency, or credit any overpayment, of the above-mentioned fees to our Deposit Account No. 03-2775.

Respectfully submitted,

CONNOLLY, BOVE, LODGE &amp; HURTZ, LLP

By

*Ashley I. Pezzner*  
Ashley I. Pezzner  
Reg. No. 35,646  
Tel. (302) 658-9141

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Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON D.C. 20231 ON THIS 24th DAY OF February 2000. BY: Carrie A. McPherson

## COMMUNICATION

With regard to the Notification of Missing Requirements Under 35 U.S.C. 371 (copy enclosed) please be informed that applicant **has previously filed** the MISSING PARTS, as evidenced by the following copies of filed papers:

1. Transmittal of Missing Parts mailed on February 15, 2001;
2. Original Declaration/Power of Attorney form executed by inventors.
3. Original executed Assignment along with one Recordation Form Cover Sheet (PTO-1595) and a check in the amount of \$40.00 to cover the recording fee.
4. The undersigned's check for \$130.00 to cover the surcharge for missing parts.

Respectfully Submitted,  
CONNOLLY BOVE LODGE & HUTZ LLP

By:

Ashley I. Pezzner

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO. 09/744621	FIRST NAMED APPLICANT RUEPPEL	ATTY. DOCKET NO. D 1998 / F-085
INTERNATIONAL APPLICATION NO. PCT/EP99/04642		
I.A. FILING DATE 03 JUL 99		PRIORITY DATE
DATE MAILED: 12 FEB 2001		

CONNOLLY BOVE LODGE & HUBBARD  
1220 MARKET STREET  
P O BOX 2207  
WILMINGTON, DE 19899

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
  - ☒ an Elected Office (37 CFR 1.495):
  - ☒ U.S. Basic National Fee.
  - ☒ Copy of the international application in:
    - ☒ a non-English language.
    - ☐ English.
  - ☒ Translation of the international application into English.
  - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
  - ☐ Copy of Article 19 amendments.
  - ☐ Translation of Article 19 amendments into English.
  - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
  - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
  - ☒ Preliminary amendment(s) filed 26 January 2001 and
  - ☐ Information Disclosure Statement(s) filed and
  - ☐ Assignment document.
  - ☐ Power of Attorney and/or Change of Address.
  - ☐ Substitute specification filed
  - ☐ Verified Statement Claiming Small Entity Status.
  - ☒ Priority Document.
  - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
  - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:

- ☐ PCT/DO/EO/917
  - ☐ Notice of Defective Translation
  - ☐ PTO-875
- FORM PCT/DO/EO/905 (December 1997)

Deborah Williams

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